### PATENT COOPERATION TREATY

## **PCT**

#### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

International application No.  PCT/SE2004/001806  PCT/SE2004/001806  O6-12-2004  11-12-2003  International Patent Classification (IPC) or national classification and IPC  See Supplemental Box  Applicant  Nobel Biocare AB (publ) et al  I. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and insusmited to the applicant according to Article 36.  2. This REPORT consists of a total of 4 sheets, including this cover sheet.  3. This report is also accompanied by ANNEXES, comprising:  a cent to the applicant and to the International Bureau) a total of sheets, as follows:  sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications suthorized by this Authority considers contain an amondment that goes beyond the disclosure in the international Bureau which this Authority considers contain an amondment that goes beyond the disclosure in the international splication as filed, as indicated in item 4 of Box No. I and the Supplemental Box.  b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(9)) containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).  4. This report contains indications relating to the following items:  Box No. I Basis of the report  Box No. VI Cack of unity of invention  Box No. VI Lack of unity of invention  Box No. VI Certain decess in the international application  Certain documents cited  Box No. VII Certain defects in the international application  Date of submission of the demand  Date of completion of this report  Leif Brander / JA A Felephone No. 46 8 782 25 00	Applicant's or agent's file reference  Case: 4196 PCT	FOR FURTHER ACTION See Form PCT/IPEA/416			
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#### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SB2004/001806

Supp	lemental	Box
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In case the space in any of the preceding boxes is not sufficient. Continuation of: Cover sheet

International patent classification (IPC)

A61C 8/00 (2006.01) A61L 27/06 (2006.01)

Form PCT/IPEA/409 (Supplemental Box) (April 2005)

#### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2004/001806

Box	No. I	Basis of the report				
With regard to the language, this report is based on:						
	$\boxtimes$	the international application in the language in which it was filed				
		a translation of the international application into	,			
		which is the language of a translation furnished for the purposes of:				
		international search (Rules 12.3(a) and 23.1(b))				
		publication of the international application (Rule 12.4(a))				
		international preliminary examination (Rules 55.2(a) and/or 55.3(a))				
2.	With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):					
	$\boxtimes$	the international application as originally filed/furnished				
		the description:				
			as originally filed/furnished			
	Ш	the claims:				
		pages as amended (together	as originally filed/furnished with any statement) under Article 19			
			with any statement) under Article 19			
		pages* received by this Authority on				
	П	the drawings:	-			
		pages	as originally filed/furnished			
		pages* received by this Authority on _				
		pages* received by this Authority on _				
		a sequence listing and/or any related table(s) - see Supplemental Box Relating to Se	equence Listing.			
3.		The amendments have resulted in the cancellation of:				
		the description, pages				
		the claims, Nos.	<del> </del>			
		the drawings, sheets/figs				
		the sequence listing (specify):				
		any table(s) related to the sequence listing (specify):				
4.		This report has been established as if (some of) the amendments annexed to this made, since they have been considered to go beyond the disclosure as filed, as incommendation (a).				
		the description, pages				
		the claims, Nos.				
		the drawings, sheets/figs				
		the sequence listing (specify):				
		any table(s) related to the sequence listing (specify):				
*	If item	4 applies, some or all of those sheets may be marked "superseded."	,			
Form		PEA/409 (Box No. I) (April 2005)				

#### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2004/001806

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applications and explanations supporting such statement				
1. Statem	ent			
No	velty (N)	Claims	11-13	YES
		Claims	1-10	NO NO
Inv	ventive step (IS)	Claims		YES
		Claims	1-13	NO NO
Ind	lustrial applicability (IA)	Claims	1-13	YES
		Claims		NO

2. Citations and explanations (Rule 70.7)

Cited documents of particular relevance:

D1: US 6183255 B1 D2: SE 514202 C2

D1 shows an arrangement with an implant according to the preamble of claim 1. The outer layer consists of crystalline titanium dioxide which largely or completely assumes the anatase phase.

The arrangement according to claim 1 therefore is known from D1. Consequently, the invention defined in claim 1 lacks novelty and inventive step.

The arrangements according to claims 2-10 are also previous known from D1. Consequently, claims 2-10 also lack novelty and inventive step.

D2 shows a method for producing a dental implant with an outer layer of titanium dioxide. The voltage and the dwell time of the part in the electrolyte are chosen dependent on the preferred characteristics of the outer layer. It must be considered adjacent for person skilled in the art to choose the voltage and the dwell time such that the titanium dioxide assumes the crystalline anatase phase.

The method according to claims 11-13 therefore lack inventive step.

The invention is considered to be industrially applicable.

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